



RECEIVED

MAY 14 2003

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Date: May 5, 2003

Serial No.: 09/405,678

Group Art Unit: 1617

Filed: September 24, 1999

Examiner: Shengjun Wang

For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR MODULATOR IN
COMBINATION WITH SEX STEROID PRECURSORS

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/SUBMISSION

Sir:

This is a response to the Office Action mailed November 5, 2003 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

No additional fee is required.

_____ If checked, "Small Entity" status is claimed.

| NO. CLAIMS AFTER AMENDMENT | | | HIGHEST NO. PREVIOUSLY PAID FOR | | EXTRA PRESENT | | RATE | ADDIT. FEE |
|--|----|-------|---------------------------------------|------|---------------|---|---------------------|---------------|
| TOTAL | 23 | MINUS | 69 | * = | 0 | X | (\$9 SE or \$18) | \$ 0 |
| INDEP. | 1 | MINUS | 3 | ** = | 0 | X | (\$42 SE or \$84) | \$ 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | | X | (\$140 SE or \$280) | \$ |

* not less than 20 ** not less than 3

TOTAL \$ -0-

If any additional payment is required, a check which includes the calculated fee of \$ _____
(OFGS Check No. _____) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

AMENDMENTS

☒ If checked, amendment(s) to the specification and/or claims are submitted herewith.

1. ☐ If checked, an abstract is submitted as the last page of Appendix A.

2. Specification:

Please delete Figures 10-13.

3. Claims:

Please amend claim 2 pursuant to 37 C.F.R. § 1.121(c)(i) as set forth in the "clean" version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(c)(ii) is attached hereto as Appendix B.

☐ If checked, the optional complete set of "clean" claims pursuant to 37 C.F.R. § 1.121(c)(3) is attached hereto as Appendix C.